

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

AMANDA DOMINGUE
PLAINTIFF,

v.

HALSTED FINANCIAL SERVICES, LLC
DEFENDANT

* CIVIL ACTION NO.6:14-cv-963

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* COMPLAINT

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PLAINTIFF’S COMPLAINT

Plaintiff, AMANDA DOMINGUE (“Plaintiff”), through the undersigned, alleges the following against HALSTED FINANCIAL SERVICES, LLC (“Defendant”):

INTRODUCTION

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 *et seq.* (“FDCPA”).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
4. Defendant conducts business in the State of Louisiana thereby establishing personal jurisdiction.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

PARTIES

6. Plaintiff is a natural person residing in Erath, Vermilion Parish, Louisiana.

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is a business entity with an office located at 1822 N. Ridge Ave. #120, Evanston, Illinois 60201.
9. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
10. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

FACTUAL ALLEGATIONS

11. Prior to the filing of this Complaint, Defendant was assigned an account from a third party to collect monies from Plaintiff alleged to be owed by Plaintiff and past due (“debt”).
12. Upon information and belief, the alleged debt arises from transactions with Credit One Bank which were for personal, family, and household purposes.
13. In its attempts to collect the alleged debt, Defendant started placing telephone calls to Plaintiff (“collection calls”) on her cellular telephone, at telephone number (337) 349-18xx, in or around early December of 2013.
14. On or about December 6, 2013, Plaintiff received a collection call from Defendant at telephone number 337-205-4541 which she was not able to answer.
15. Plaintiff returned Defendant’s collection call that day and spoke with one of Defendant’s employees.
16. Plaintiff informed Defendant that she was represented by an attorney, Charmaine Thomas-Johnson, relating to the alleged debt.
17. On or about December 6, 2013, Ms. Thomas-Johnson confirmed that she represented

Plaintiff.

18. Despite being informed that Plaintiff was represented by an attorney, Defendant continued to place collection calls to Plaintiff.

19. Specifically, on or about December 11, 2013, after Ms. Thomas-Johnson confirmed she represented Plaintiff, Defendant placed a collection calls to Plaintiff from telephone number 850-270-4055 and left Plaintiff a message on her voicemail. *See* transcribed message, attached hereto as Exhibit A.

20. Plaintiff is annoyed and feels harassed and abused by Defendant's continued efforts to contact her directly in connection with its attempts to collect the alleged debt, despite having knowledge that Plaintiff is represented by an attorney.

COUNT I
DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

21. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692c(a) of the FDCPA by communicating with Plaintiff after Defendant knew Plaintiff was represented by an attorney;
- b. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which was to annoy, harass, or abuse Plaintiff.

WHEREFORE, Plaintiff, AMANDA DOMINGUE, respectfully requests judgment be entered against Defendant, HALSTED FINANCIAL SERVICES, LLC for the following:

22. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k,

23. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k , and

24. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: May 8, 2014

By: /s/Denis Vega
Denis Vega
Vega & Associates, LLC
4505 Gary Mikel Ave
Metairie, LA 70002
Tel: 504-913-0868
dvega@vegalaw.net
Attorney for Plaintiff, AMANDA DOMINGUE